

Atty. Docket No. JP919990315US1
(590.048)

REMARKS

Applicants and the undersigned are most grateful for the time and effort accorded the instant application by the Examiner. The Office is respectfully requested to reconsider the rejections presented in the outstanding Office Action in light of the following remarks.

Claims 1-6 and 8-20 are currently pending for examination, of which claims 1, 6, 10, 13, and 16-19 are independent claims; the remaining claims are dependent claims. Independent claims 1, 6, 10, 13, and 16-19 have been rewritten. Support for these amendments can be found in Figure 7 and on page 22 line 15-page 24 line 5 of the specification. Claim 8 has also been amended to correct a minor typographical error. Applicants intend no change in the scope of the claims by the changes made by this amendment. It should be noted these amendments are not in acquiescence of the Office's position on allowability of the claims, but merely to expedite prosecution.

Rejection under 35 U.S.C. § 112, 1st paragraph:

Claims 1, 6, 10, 13, and 16-19 stand rejected as failing to comply with the enablement requirement under 35 U.S.C. § 112, 1st paragraph. Specifically the Examiner asserts that the claimed subject matter of "user terminal sends a list of non-overlapping web page acquisition requests to the acquisition server" was not properly enabled by the specification.

Claims 1, 6, 10, 13, and 16-19 have been amended to cancel the above-mentioned subject matter. The current Amendment amends the independent claims to recite that the

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list of non-overlapping web page acquisition requests is generated at the acquisition server and is made up of acquisition requests from a plurality of users or user terminals.

Applicants respectfully submit that the subject matter of the independent claims, as amended, is fully supported and enabled by the specification. With regards to the current Amendment the Examiner's attention is directed toward Figure 7 and page 22 line 15-page 24 line 5 of the specification, which specifically disclose the claimed subject matter added by this Amendment.

Applicants respectfully request that the Examiner withdraw the rejection of claims 1, 6, 10, 13, and 16-19 for failing to comply with the enablement requirement under 35 U.S.C. § 112, 1st paragraph.

Rejection under 35 U.S.C. § 102(e) over Chang:

Claims 1-6 and 8-19 stand rejected as being anticipated by U.S. Patent 6,134,584 to Chang et al. (hereinafter Chang) under 35 U.S.C. § 102(a). Given that Applicants' Priority Date accorded under 35 U.S.C. § 119(a-d) precedes the issue date of the Chang patent Applicants are assuming that the Examiner means to reject the claims under 35 U.S.C. § 102(e).

Applicants respectfully submit that a claim is anticipated under § 102 only if each and every element as set forth in the claim is found, either expressly or inherently, in a single prior art reference (MPEP § 2131). Applicants respectfully submit that the disclosure in Chang is not sufficient to anticipate independent claims 1, 6, 10, 13, and 16-19 under § 102.

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Independent claims 1, 6, 10, 13, and 16-19 have all been amended to recite subject matter as to generation of a web page acquisition list comprising non-overlapping web page acquisition requests from a plurality of user terminals. Applicants respectfully submit that Chang does not disclose such subject matter.

As best understood, Chang teaches a method for accessing and retrieving information from a source maintained by a network server wherein a proxy server can retrieve a web page based upon an acquisition request and then store the web page in cache memory so that subsequent users of the system can download the web page directly from the server rather than from the web page host server. (Col. 2, lines 21-41).

Chang does not teach the generation of a web page acquisition list that comprises non-overlapping requests from a plurality of user terminals as is currently claimed. Rather, Chang teaches downloading a web page once and then making it available to subsequent requesters via cache memory. If Chang could be considered to generate an acquisition list at all, it would be for requests from only a single user terminal. There would still be overlapping requests, but subsequent requesters would get the web page stored in cache memory rather than from the web page host server. Further rejection on this ground would therefore be improper.

Claims 1, 6, 10, 13, and 16-19 are allowable over Chang for at least the foregoing reasons. Applicants respectfully request that the Examiner withdraw the rejections of claims 1, 6, 10, 13, and 16-19 for being anticipated by Chang under 35 U.S.C. § 102(e).

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Claims 2-5, 8, 9, 11, 12, 14, 15, and 20 are all dependent claims depending from the independent claims previously discussed and as such are allowable over Chang for at least the same reasons as the previously discussed independent claims. Applicants respectfully request that the Examiner withdraw the rejections of these claims for being anticipated by Chang under § 102(e).

Rejection of claim 20 under 35 U.S.C. § 103(a):

Claim 20 stands rejected as being unpatentable over Chang in view of U.S. Patent 6,282,709 to Reha et al. (hereinafter Reha) under 35 U.S.C. § 103(a).

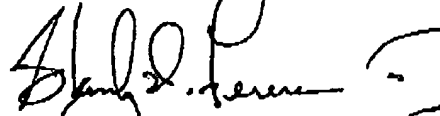
With regards to this rejection, claim 20 is dependent upon independent claim 1. Applicants respectfully submit that claim 1 is allowable over Chang as established above. Claim 20 is also allowable, then, for at least the same reasons as claim 1. Applicants respectfully request that the Examiner withdraw the rejection of claim 20 as being unpatentable over Chang in view of Reha under 35 U.S.C. § 103(a).

In view of the foregoing, it is respectfully submitted that independent 1, 6, 10, 13, and 16-19 fully distinguish over the applied art and are thus in condition for allowance. By virtue of dependence from what are believed to be allowable independent Claims 1, 6, 10 and 13, it is respectfully submitted that Claims 2-5, 8, 9, 11, 12, 14, 15, and 20 are also presently allowable.

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In summary, it is respectfully submitted that the instant application, including Claims 1-6 and 8-20, is presently in condition for allowance. Notice to the effect is hereby earnestly solicited. If there are any further issues in this application, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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